Certificate of Mailing 37 C.F.R. §1.8(a) I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to MAIL STOP NON-FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Vickie Jones Name of Person Signing Certificate:

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jürgen BRINKHUES

Conf. No.:

6214

Group Art Unit: 3761

Appln. No.:

10/706,112

Examiner:

To Be Assigned

Filing Date:

November 12, 2003

Attorney Docket No.: 9003-286US (PC 02

167B US)

Date

Title: PHARMACEUTICAL SYRINGE PISTON AND METHOD AND DEVICE

THEREFOR

## SUPPLEMENTLA INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Enclosed are copies of each of the documents listed on the attached Information Disclosure Citation Form(s) PTO/SB/08A and/or B, which may be material to the patentability of this application and/or for which there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The enclosed references were cited in a German Office Action dated April 19, 2002 (copy enclosed) from the German Patent Office concerning counterpart German Application No. 101 22 959.3. The cited reference, U.S. Patent No. 3,528,330, corresponds to German Application No. DE 1 952 899.

In accordance with the official waiver posted July 11, 2003, wherein the U.S. Patent and Trademark Office officially waives the requirement under 37 C.F.R. § 1.98(a)(2)(i) for submitting copies of each cited U.S. Patent and U.S. Patent Application Publications with respect to applications filed after June 30, 2003, we have not included copies of such cited U.S. patent and U.S. Patent Application Publications. However, we will provide copies upon request. Copies of the foreign references are attached hereto for the Examiner's convenience.

The filing of this Information Disclosure Statement shall not be construed as an admission that any of the listed documents constitutes prior art, nor as an admission against interest in any manner.

No fee is believed to be due in connection with the filing of this Information Disclosure Statement since it is being filed before the mailing date of the first Office Action on the merits. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 50-1017.

It is respectfully requested that this Information Disclosure Statement and the documents listed on the attached Form PTO/SB/08A and/or B be considered and acknowledged by the Examiner in connection with the above-identified patent application, be made of record therein, and that the listed document(s) be cited in the issued patent.

Respectfully submitted,

Jurgen BRINKHUES

Martin G. Belisario

Attorney for Applicants Registration No. 32,886

Direct Dial: 215-965-1303

E-Mail: mbelisario@akingump.com

Akin Gump Strauss Hauer & Feld LLP One Commerce Square

2005 Market Street, Suite 2200 Philadelphia, PA 19103

Telephone No.: 215-965-1200

Fax No.: 215-965-1210

<u>lpil 8, 2004</u>
(Date)

MGB:vi **Enclosures**  OTPE 10 2004 5

Form PTO	/SB/08A	10		Complete if Known		
		No.	TAMP	Application Number	10/706,112	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			SURE	Filing Date	November 12, 2003	
			CANT	First Named Inventor	Jürgen BRINKHUES	
(				Group Art Unit	3761	
(use as many sheets as necessary)			essary)	Examiner Name	To Be Assigned	
Sheet	1	of	1	Attorney Docket Number	9003-286US (PC 02 167B US)	

U.S. PATENT DOCUMENTS					
Exr Initials	U.S. Patent Document  Number Kind Code (if known)		Name of First Inventor of Cited Document	Date of Publication of Cited Document MM-YYYY	
	3,528,330		Ehlert	09-1970	
-			,		

		oreign Patent Docun		NT DOCUMENTS  Name of Applicant of Cited Document	Date of	,T <sub>1</sub>
Exr Initials	Country Code	Number	Kind Code (if known)		Publication of Cited Document MM-YYYY	
						-
						L
						Τ

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Exr Initials	Include Name of first Author (in CAPITAL LETTERS), title of the article (where appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), volume-issue number(s), page(s), date (in parentheses). If a book, also include publisher and city and/or county where published.	T		
		+		
		1		

	and the state of t		
Examiner		Date	
Signature		Considered	